BEAVER ARGUS.

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The Argus

Will be Published Every Wednesday,

IN THE OLD ARGUS BUILDING,

THIRD ST., BEAVER, PA.,

At $2.00 per annum in Advance.

☞ Letters and contributions, by mail, shall have prompt attention.

J. WEYAND, Editor & Proprietor.

FALLSTON FOUNDRY!

ENGINE & REPAIR SHOP,

In Fallston Beaver County, Pa.

HAVING refitted and enlarged my stock of machinery and tools, and having secured the services of the best of machinists, I am prepared to warrant all work done to give entire satisfaction. I have on hand different patterns and styles of Engines, Fire Clay Rolls, and am prepared to make or repair all descriptions of machinery, on reasonable terms.

PLOWS AND PLOW CASTINGS.

I have all the best plow patterns that suit this market, among which is the "Great Western," which has been the plow of the county for the last fifteen years. There are five sizes of this plow, all of which I manufacture and keep for sale: also "Patent Lever"—right and left—"Mountain King,"—right and left—"Side Hill," and nearly all the different kinds in use.

COOKING, FRANKLIN AND HEATING STOVES.

Having made several important improvements on the "Climax," by which coal or wood can be supplied without lifting lids, and having two places for pipe, either or both of which can be used at the same time, with a ventilation to the oven, thus having the advantages of a Cooking Stove, Bake oven and Franklin Stove combined. This Stove has been in constant use for twenty years, and many of them after being used for this period of time, are now in good order. There is but a small portion of this stove that ever burns out, and this is easily and cheaply replaced. To make them still more lasting, we are now putting in tile or fire brick lining. Our other patterns are the Enterprise, Keystone and Premium. Parlor Stoves, large and small heating Stoves, Franklin Stoves, Jenny Lind's, &c. Grate and Grate Fronts, Fenders, Iron Railing of various styles, Wagon Boxes, two Irons, Tire Benders, Corn Shellers, Force and Cistern Pumps, Sad Irons, Metal Sinks for kitchen, Sheet Iron and Tinware, always on hand and made to order. In fact, I manufacture and keep for sale, almost everything wanted in the machinery or hardware line.

Second hand stoves always for sale cheap. Two good new engines, suitable for saw-mill or shop purposes now on hand, and will be sold reasonable.

mar13'67—1y. JOHN THORNILEY.

R. A. WILSON.....HARVEY BROWN.

NEW STORE, NEW FIRM

AND

New Groceries.

WILSON & BROWN

RESPECTFULLY ANNOUNCE TO THEIR NUMEROUS friends and the public generally, that they intend opening a New Grocery Store, on

BRIDGE STREET, BRIDGEWATER,

adjoining the Dry Goods Store of A. G. Hurst, on the 5th day of March.

It is their intention of having on hand, at all times, a full assortment of the

BEST FAMILY GROCERIES,

and they beg leave to state that they are determined to compete with all other dealers in the town or neighborhood, as their Stock of Goods are all new, and bought at the late great reduction, and selected with the greatest care by Mr. HARVEY BROWN, whose knowledge of the business cannot be questioned, having been with Mr. Arthur Harvey for many years.

They call particular attention to their stock of Teas and Coffees, as they flatter themselves they have something extra to offer as to price and quality.

The best brands of Family Flour always on hand. Produce taken at all times at full market prices. *All goods delivered.*

WILSON & BROWN.

Bridgewater, Feb. 27, 1867—1y.

C. VENT STEWART.....R. A. WILSON.

SPRING AND SUMMER!

BOOTS AND SHOES.

WILSON & STEWART,

WOULD RESPECTFULLY INFORM THE PUBlic, that they have have just received direct from the manufacturers, the largest and best selected SPRING AND SUMMER STOCK OF

Ladies', Gent's, Boys' and Children's Boots and Shoes.

GAITERS AND SLIPPERS

All of the latest styles, that have ever been brought to this county, and which they are prepared to sell

AS CHEAP, IF NOT CHEAPER,

Than they can be bought in the city of Pittsburg.

Thankful for past patronage, we solicit a continuance of the same, and invite purchasers to call and examine our goods and prices before purchasing elsewhere.

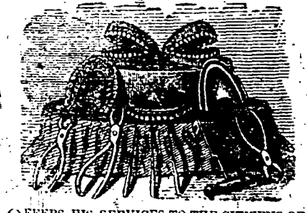
We have a shop connected to do all repairing.

All Goods Warranted.

WILSON & STEWART,
In the Diamond,
apr24'67. ROCHESTER, PA.

J. M. Harton,

DENTIST.



OFFERS HIS SERVICES TO THE CITIZENS OF BEAVER AND VICINITY.

Artificial Teeth perfectly fitted, Articulated, Shaped, Sized and Colored, to suit every individual, mounted on fine Gold, Silver, English and American Vulcanite. Teeth extracted without pain by an entirely new process, no Ether, Chloroform, Nitrous-oxide or any other anæsthetic used in connection with the apparatus.

☞ Office on Third street, 2d door east of H. B. Anderson's store. [feb20'67:6m.

WALL PAPER, WINDOW SHADES

—AND—

OIL CLOTHS

—AT THE—

Lowest Possible Rates,

—AT—

MRS. M. DONLEY'S

BOOK AND STATIONERY STORE,

In the Diamond,

ROCHESTER, PA.

New School and other Books, Stationery, Eastern Papers and Magazines.

☞ Orders promptly attended to. [mar29'67:3m

ANDREW WRAY,

ATTORNEY AT LAW.

Practicing in the several courts of Beaver County, will promptly attend to all kinds of legal business in this or counties adjoining.

Collections will be expeditiously made in all amounts upon all sorts of claims, either in this county and State or in more distant localities.

In conveyancing, immediate attention will be given to the drawing of bonds, deeds, leases, articles of agreement, to the furnishing of abstracts of title, and to the careful preparation of all sorts of legal instruments.

Mortgages, judgment and other securities in all sums bought or sold.

☞ Office in building of Jos. C. Wilson, Esq., near Reynolds Moore's Drug Store, Third Street, Beaver, Pa. [aug15'66:1y.

C. J. WENDT, M. D.,

HOMEOPATHIST,

NEW BRIGHTON, BEAVER COUNTY, PA.

☞ OFFICE AND RESIDENCE ON LOCUST ST. near Railroad and Bridge sts. [my1'67:3m

FARMERS, READ THIS!

BUCKEYE

Mower and Reaper!

AGAIN TRIUMPHANT!

This extensively known, and deservedly popular Machine was submitted to the most vigorous test of its superiority, at a trial of competing machines that took place under the management of the New York Society, at Auburn, N. Y., in July, 1866. The committee consisted of eleven judges, and *forty* machines were entered as contestants for the prize. The trial lasted three weeks and the tests were most thorough. The result was announced at the State Fair held at Saratoga on the 12th of September last, and the

GRAND GOLD MEDAL

was then awarded the

BUCKEYE

as the machine

SUPERIOR TO ALL OTHERS!

A similar testimony was awarded it in the same State in 1865. This machine is regarded by the thousands who can speak from experience, as the

Best in the World!

and is manufactured by the Incorporated Company of

C. AULTMAN & CO.

CANTON, OHIO.

Persons wanting any of these machines, can have them by applying to the undersigned, who is the agent for Beaver county.

apr17'67:3m JAMES PATTERSON,
New Galilee, Pa.

J. & H. PHILLIPS,

26 & 28 ST. CLAIR ST.,

Pittsburg, Pa.,

Manufacturers and Dealers in

FLOOR OIL CLOTHS,
FURNITURE OIL CLOTHS,
ENAMELED OIL CLOTHS,
TABLE OIL CLOTHS,
STAIR OIL CLOTHS,

Transparent Green Oil Cloth,

for window shades.

Transparent Window Shades,

BUFF HOLLANDS,
SHADE FIXTURES,
TASSELS, CORDS, &c., &c.

ALSO, DEALERS IN

India Rubber Machine Belting, Hose, Steam Packing, Casket, Tubing, Cement, Clothing, and Rubber goods generally.

Oak Tanned Leather Belting, Lace Leather, Belt Hooks, Rivets, Lubricating Steam Packing, &c.

Agents for the Universal Clothes Wringer.

A general assortment of the above named goods always on hand.

☞ Orders respectfully solicited and promptly filled. [my1'67:6m

NOT YET "GONE UNDER."

THE UNDERSIGNED WOULD RESPECTFULLY inform his friends and the public generally, that he "still lives," and keeps constantly on hand a large and well selected stock of

LADIES',
GENTLEMEN'S
AND CHILDREN'S

Boots and Shoes,

OF ALL KINDS,

Which he will sell at the lowest possible prices. In addition to his Eastern made stock of Boots and Shoes, he also keeps on hand a large assortment of his own manufacture, and is prepared to do job work or repairing on the shortest notice, and as well as can be done at any other shop in the county.

Thankful to the public for past favors in my business, I respectfully ask that they may be continued. All Eastern work that rips will be repaired free of charge.

apr24'67:3m. ROBERT TALLON.

FARM FOR SALE.

THE UNDERSIGNED OFFERS HIS FARM FOR SALE, situated in Darlington township, Beaver county, Pa., on a public road ½ a mile south of Enon Station, on P., Ft. W. & C. Ry. Said farm is adapted either to raising Grain or Stock. It is well watered, contains 115 acres; 85 of which are cleared and balance in timber. The improvements are a good DWELLING HOUSE, a STABLE, with Wagon Shed and Corn-crib attached, and a Sheep House; 28 by 44 feet. There are on the premises 200 FRUIT TREES—300 Apple and 60 Peach and Cherry, of the very best varieties. Two hundred of the apple trees are beginning to bear fruit. Part of the farm is underlaid with TWO OR THREE VEINS OF COAL, from 2 to 4 feet in thickness.

The neighborhood is good. Schools and churches are convenient, and there is an excellent market at Enon Station.

If not sold before, the whole or 25 acres of the Farm will be offered at Public Sale on SATURDAY, JUNE 15TH, 1867, at 1 o'clock, p. m. Title indisputable.

Apply to J. I. REED,
Enon Valley, Pa.

REMOVAL.

G. BRAUN HAS REMOVED HIS CLOTHING AND FURNISHING ESTABLISHMENT to the new building on Main street, nearly opposite to the Union Co-operative Store in New Brighton, Pa.

He also takes this opportunity of informing his friends and the public generally, that he has just received from the east a large and well selected stock of Spring Goods, which he proposes to sell at prices that cannot fail to suit purchasers.

Clothing made to order on the shortest notice. All work warranted to fit. apr3'67:3m

LAUGHING GAS

ADMINISTERED BY DR. MURRAY, BRIDGEWATER, Pa., in extracting teeth. I have added to my many other facilities for the successful prosecution of my profession, this invaluable pain-killing agent. All branches of Dentistry performed in the best and most modern style. All work done as cheaply, and fifty per cent. better than at any other Steam Dental Establishment in the State. [my9'66:1f

INSURANCE AGENCY.

THE UNDERSIGNED HAS BEEN APPOINTED agent for the Ætna Insurance Company, of Hartford, Conn., and likewise for the Niagara Insurance Company of New York, and the Enterprise Insurance Company of Philadelphia.

Each of these Companies insure dwellings, out-buildings, Stores, Manufactories, &c., &c., against loss by fire, on favorable terms for five years or less.

Losses equitably adjusted and promptly paid when the insurance is effected. All business connected with either of these Companies attended to with dispatch and fidelity.

apr22'67—1y. JOS. M'CLURE, Agent.
Beaver, Pa.

LAUGHING GAS!

COME ALL YE THAT HAVE BEEN SUFFERING the untold miseries of toothache, and dread of extraction, and you will find that Dr. Chandler & Co. are ready to relieve you by the use of the great pain destroyer—LAUGHING GAS—and make their extraction a source of pleasure rather than of pain.

All dental operations performed in the best possible manner, and at reasonable terms as by any good Dentist in the county.

☞ Office in Beaver Station, Rochester, Pa.

jan9'67—1y. T. J. CHANDLER & CO.

A Great Change!

PURE DRUGS & MEDICINES,

AT THE

Corner of Diamond & Third St.,

Beaver, Pa.

THE DRUG STORE FORMERLY OCCUPIED BY Hamilton & Anderson has been purchased by

J. B. RHODES,

WHO NOW OFFERS

A Full and Complete Stock of

PURE DRUGS & MEDICINES,

CHEMICALS:

Perfumery,

SOAPS, TOILET ARTICLES,

And Brushes of All Kinds.

PROPRIETARY GOODS AND DYE-STUFFS.

☞ We are prepared to sell PURE AND SECOND QUALITY WHITE LEAD, AND OILS OF ALL KINDS, *at Pittsburgh prices.*

☞ *Please Call and be Convinced!* ☜

WINDOW GLASS OF ALL SIZES.

Our stock of Alcohols, Wines, Brandies, Whiskeys, and other Liquors, will be found complete, and, being selected with great care, can be relied upon as being *Pure* as can be obtained, and will be sold for Medical, Mechanical, and Sacramental purposes *only.*

☞ Prescriptions and Family Receipts Accurately Filled at All Hours.

Our Prescription and Medicine Department being under the personal supervision of Mr. L. M. HAMILTON, with an experience of seven years, we flatter ourselves that we can give full satisfaction in any branch of the business.

☞ Remember the place—at the Post Office, corner Third street and the Diamond, Beaver.

All are respectfully invited to call and examine our goods and prices before purchasing elsewhere.

Beaver, Apr24'67:1y J. B. RHODES.

J. H. BENCE,

THIRD STREET, (1 DOOR BELOW SEMINARY,)

Beaver, Pa.

OFFERS TO HIS FRIENDS AND CUSTOMERS a select Stock of the

LATEST STYLES

In Trimmings,

EMBROIDERY,
HANDKERCHIEFS,
LACES,
RUFFLES,
RIBBONS,
BUTTONS,
HOSIERY,
CORSETS,
GLOVES,
TIDIES,
BAL. SKIRTS.

The new style Invisible Empress Trail Hoop Skirt, Veil Binds, Grenadines, Sun Umbrellas, Zephyrs, Ladies' and Gent's Paper Cuffs and Collars, &c.

MILLINERY,

OF EVERY DESCRIPTION.

Hats and Bonnets, very cheap. Flowers in every variety, cheap. Hats and Bonnets altered and cleaned, cheap.

Also, Dress-making, Cloak and Sack Cutting, Pinking, &c., &c.

Madame Demorest's Latest Paris and N. York Trimmed Patterns constantly on hand.

PATTERNS FOR SALE.

As our stock has been purchased at low prices, it is offered at corresponding low rates. Give us a call and satisfy yourself.

☞ Don't forget the place—one door below the Seminary, Third street, Beaver, Pa.

J. H. BENCE.

apr17'67:3m

NEW GROCERY STORE!

THE UNDERSIGNED TAKES PLEASURE IN informing the people of Beaver and vicinity, that he has opened a

GROCERY STORE

in the building in which his Feed Store is now kept, on

THIRD STREET, BEAVER,

where will be found an excellent assortment of

COFFEES, TEAS, SUGARS, SYRUPS, MOLASSES, SORGHUM, RICE, PEPPERS, SPICES, SOAPS, CANDIES, RAISINS, ENGLISH CURRANTS, FIGS, &c.

Bedcords, Washtubs, Keelers, Tinware, and in fact every article usually kept in a well regulated Grocery Store.

In connection with his Grocery, he still continues to keep his FLOUR AND FEED STORE, where the best articles in this line are constantly kept, and offered cheap for Cash or Produce.

jan9'67:1y SIMON SNITGER.

C. F. WINTER.....W. L. BEDISON.

WINTER AND BEDISON,

(SUCCESSORS TO C. F. WINTER,)

DEALERS IN WATCHES, CLOCKS, JEWELRY, Silver and Plated Wares, Musical Instruments, Notions, &c., &c.

☞ Special attention given to the repairing of Watches, Clocks and Jewelry.

Store: Cor. BROADWAY & APPLE STREETS,
NEW BRIGHTON, PA. [jan2'67

MURDER IN THE COMMONWEALTH.

Robert Fogler, who was arrested in Washington, Washington county, Pa., on the 18th of the month, and who, on being confronted with his accuser, Mr. Dinsmore, requested that it be published in the newspapers, among them, the papers of this borough.

I, Robert Fogler, was born in Pittsburgh, Allegheny county, Pa., April 2, 1844. My father was of Swiss descent. He came to this country when quite young. My father was killed about fourteen years ago, as near as I can recollect, by a log rolling over him. He was not of any known relation of Frank Fogler, residing in this county part of this county. My father's name was Martin Fogler. I think he was a member of the German Reformed Church. I will not be positive. My mother was born in Westmoreland, Butler county, Pa., where she died about four years ago. She was a member of the Methodist Episcopal Church of Pittsburgh.

I was in the family of Wm. Harvey, a farmer residing in Canton township, about two miles and a half north of this borough, from the Fall of 1859 until the Spring of 1864, at which time I entered the army, and was assigned to Company I, of the Ringgold Battalion. I remained in Quarters until the 6th of November, 1865, I being discharged from the army I left the village in Frederic City, Md. I came to this place about the 1st of April, 1866. I worked four or five weeks for William Harvey. I commenced to work for William Montgomery, Esq., June 11th, and was to stay with him three months. I remained until about the middle of November.

While at Mr. Montgomery's there was a number of plans laid to rob different persons. The plans were proposed by Mr. Montgomery's boys. I would consent to them at the time they were proposed, but when the time of action arrived I always backed out; it appeared that my conscience would not permit me to commit the act. James Montgomery proposed to "Babe" (meaning by "Babe" William Montgomery, jun., he is called "Babe" on account of being the youngest of the family) and myself that we should blow open the safe of J. K. Milner, Hirsha & Caton; also a merchant tailor by the name of Reikers, whose store is next door to the saloon of Charley Weis, and even wanted us to rob his father's house. He said he would get a large amount of money—both paper and gold coin. The above was proposed by James Montgomery, a son of Hon. Wm. Montgomery. "Babe" proposed to rob the house of Martha Black.—He stated that he could get the key of her safe at any time if I would accompany him.—Martha Black is the daughter of George Black, deceased, and is now the daughter-in-law of Esq. Montgomery.

The Dinsmore robbery was proposed first to me by James Montgomery. He told me one evening, along about the first of October, that there was a certain Mr. Dinsmore dealt at his store, that was said to be very wealthy.—He said he (Mr. Dinsmore) was in his store offering a thousand DOLLAR bill to be changed, and said he would give any one first follow that would change it. Jim Montgomery said he would change it, if he could get for him. I told "Babe" about the matter, and asked him his view of the matter; he said he was "ok." That was all that was said at the time about "Babe." The day while in Canton, James Montgomery told me that Mr. Dinsmore had been East with a lot of hogs, and had just returned and had plenty of money, and now was the time to go for it. A short time after I had left Montgomery's, "Babe" and I made up to go to Mr. Dinsmore's and rob him.—We started from town on a certain night together shortly after dark. We were armed with a Colt's navy revolver—the same shown in Court. I got cartridges for the pistol at the store of Robert Dougan. We took a box of boot blacking along for the purpose of blacking our hands and faces. We applied the blacking with a shaving brush, in the stable of William Montgomery, before starting to Mr. Dinsmore's. We wore army overcoats, and old worn out silk hats, both of us. We got the blacking and brush at the grocery of James Montgomery before leaving town. We went out the old Middleton road. We did not exactly know where Mr. Dinsmore lived. We inquired the road at James Brigg's house, a farmer residing about four miles from this place, and was directed by them. "Babe" went on while I enquired the road. I did not enter the house, but hallowed from the road. After searching for some time for Mr. Dinsmore's we gave it up, and "Babe" said he had an aunt living down in a place called a hollow or low land, which he pointed out to me, and that they and Mr. Dinsmore were neighbors. He proposed to go there and inquire the road.—He said he knew that Miller's family (meaning Henry Miller, who is a brother-in-law of the Hon. Wm. Montgomery) and Mr. Dinsmore's were on good terms, because he had seen Mr. Dinsmore get some snuff one day at James Montgomery's and he (Mr. D.) told him that it was for his aunt, meaning Mrs. Miller.

We then went to Miller's. The house stands a short distance off the road. "Babe" went to the house, and I remained at a pair of bars; the bars are used as an inlet from the road to the house. I could hear him hallowing distinctly from where I was; he hallowed several times, but no one answered him; I think they were all in bed. After he had stopped hallowing I heard a noise like the falling of glass, or the violent pushing open of a door with a chain on for fastening on the outside, which a great many farmers use. After the noise I heard some one running towards me, which I soon found out to be "Babe" returning. I asked him what the noise was; he said he had thrown a stone through one of the windows, and he knew it had scared them nearly to death.

After "Babe" came back from the house we started to come back to Washington again.—We came back the same road we went. We walked, both going and coming. We came to the stable of his father and there left our hats and coats. The coats were army overcoats; both were colored black, and both had capes on them. "Babe" came up to town with me; we washed the black of our hands and faces at the watering trough on the farm of Harrison Shirls; the watering trough is on the side of the Middletown road, for the accommodation of the public. We came on up to town, and when we got to the corner of Main street the town clock struck twelve. We came up Chestnut street. "Babe" left me on the corner of Main and Chestnut streets. He was staying in town at the late residence of George Black, deceased, for company for Mrs. Mary Crescraft, formerly Mary Black. I went to my boarding house and went to my bed.

We then gave up going to Mr. Dinsmore's until the night of the 4th of December last, and I believe we would have given up the idea of robbing Mr. Dinsmore altogether had it not been for the second suggestion of James Montgomery. He came to me one day and asked me when we were going to rob Mr. Dinsmore. I told him I didn't know. Says he, "You fellows are getting behind," meaning "Babe" and myself. I was selling lamp-burners and stove lifters, and trying to buy corn for James Montgomery—went to the house of Mr. Dinsmore on purpose to find out where he lived—was at a number of farmers' houses the day I was at Mr. Dinsmore's—got a horse to ride at Wm. Montgomery's.

The Monday before the murder "Babe" and I were at the house of Nancy Mull, on the farm of John L. Cooke. We took the pistol along with us for the purpose of discharging the loads from it, which we failed to do. We thought perhaps the powder had got damp, and concluded to draw them by hand. The morning of the 4th of December last was very disagreeable. Rain had been falling all the morning up till about eleven o'clock, when it cleared up. James Montgomery and myself went to the grocery of James Mounts & Bro about eleven o'clock that morning. While there "Babe" came in town and was passing the store, when I followed to him to stop, which he did, and came in the store. We stayed a few minutes after "Babe" came in, when we all three left the store together, James and "Babe" Montgomery and myself. We went from there to the store of James Montgomery, where "Babe" and I at once set about preparing to go to Mr. Dinsmore's that night. We got the pistol out of the drawer and went into the flour room, and "Babe" drew five balls from the pistol with a small gimlet. We then ascertained the reason we could not discharge the pistol before. It had been loaded, and some one had run melted lead in the chambers of the cylinder, and it had stopped up the holes in the nipples. The chambers had been rung about one fourth full of lead. I told "Babe" to get some cork and burn it, to black our faces and hands with, and he replied he would.

At the ringing of the court bell for the afternoon session, "Bobbie" Poland came to me and asked me if I was going up to court; I told him I would go. After we had gone out of Montgomery's store, "Bobbie" asked me to go back and get him a sheet of foolscap writing paper, to write a song on, which I did; got the paper at Montgomery's store, and gave it to him. He and I then came up to the court room, where I remained about an hour. I left the court house about three o'clock, and went back to the store of James Montgomery, and asked "Babe" if he felt like taking a walk down street. He said he would. We went down as far as the Railroad Hotel, and stopped on the corner and commenced talking to John Arnold. We had not been there but a few moments, when Robert Bolton came down street on the other side. "Babe" hallowed to Bolton to come over, which he did. He and "Babe" talked a few moments when Bolton remarked that he must go, and asked "Babe" if he was going down street. Bolton, "Babe" and myself all started down street together; Bolton left us at the depot. "Babe" and I crossed over to the other side of the street, and came back up to James Montgomery's store again. We went from there to the barber shop under the Mansion House, and both got shaved. We went from the barber shop to the "Iron Clad" saloon and got a glass of beer, each of us. We drank nothing more.—We went from the saloon to the store of Robt. Dougan, and I got one package of No. 44 cartridges. The package contained six cartridges. I wanted "Babe" to get the cartridges, but he would not; he owed Mr. Dougan some money, and had not the change to pay him just at that time. I think "Babe" stopped in Vowell's drug store or Seaman's marble works while I was in the store of Mr. Dougan.

We then went back to James Montgomery's store, and both went in and sat down. Mr. Dinsmore came into the store shortly after we did, and commenced talking with me about a lamp-burner that I had sold him. In a few minutes "Babe" got his books and said he must go home. Mr. Dinsmore then went up to him and asked him if he studied Latin; "Babe" told him he did not. Mr. Dinsmore remarked if he did he would read his lesson for him. "Babe" then started for home, and told me to come out as soon as it was dark, and to bring everything.

Between sundown and dark I went up to my boarding house to get my supper. I got the pistol and fastened it around me. I then asked James Montgomery for some powder to load the pistol, and a cake of soap to wash off with, which he gave me. I then started up street to get my supper. Mrs Nibley was not at home when I went there. I forgot the dark lantern we intended to take with us. I then went down street again—went in James Montgomery's store, and told him to give me the dark lantern. It was in one of the drawers behind the counter. He gave it to me, and I asked him if he had any sperm or star candles. He said he had not, but would give me money to get one. I told him I would rather he would get it, which he did. I remained in the store while he was gone. When he came back he asked me how we were going to work it to get Mr. Dinsmore out. I told him I was going to tell Mr. Dinsmore that Miller's family was sick. He told me if he was me he would fire some of the outbuildings, and while the family was putting the fire out we could rob the house, he said that was the way William Kelley done the time he robbed his father's house. I told him I would not do anything of that kind, for if we were detected it would go hard with us, for the Commonwealth could bring two indictments against us—one for arson, and one for burglary.

The candle I have described above was furnished by James Montgomery. After the above conversation I again went to my boarding house. Mrs. Wibley was still absent. Entered the house and proceeded to load the pistol and get ready. I put the old pants on over my black ones, (the pants were found the next morning by James Grier) and I had everything ready to start by the time supper was ready. We ate supper by candle light.—While at supper Levi Hamilton came in and sat down by the fire. After I got through with my supper, I went up to the fire and commenced talking with Mr. Hamilton about the case of Coogle and Baird—talked a few moments and then went out and started down the Hickory road, which road is the prolongation of Main street in this borough. I met Mr Kidd, the Clerk of the Court, about midway between his residence and Walnut street—he was coming toward town, carrying a lighted lantern in his hand. Know Mr. Kidd when I see him, but have not a speaking acquaintance with him.

I kept the Hickory road until I came to where the field of William Montgomery joins the lots of Frederic Naser. I then crossed into the fields and kept on across to the residence of William Montgomery. When I came to the stable the back door was open, and when I was about to enter the stable I observed one of the front doors was open also, and some one gave a signal of silence. The sound came from the direction of the front door.—I advanced toward the front door, where the sound came from, and found it was "Babe" that gave the signal. He had a knife. The knife blade was about ten or twelve inches long, as near as I could judge, and about an inch and a half wide. He was cutting at a strap, about two inches wide, with the knife. The knife was new, and apparently had not been used much. I asked him what he was doing. He said he was making a belt to take the knife along, and to carry it in. Says I, "what do you want with the knife?" Says I, "You do not need it." He replied he was going to take it anyhow. He then asked me with an oath or by word, what kept me so long. I took my excuse, and he seemed satisfied. I then asked where he got the knife; he replied in the house. Says he, "There is an overcoat and hat for you." The hat was a broad-brimmed black hat; the coat was an army overcoat, colored black. I left the hat that I wore in the stable. He wore an old worn out silk hat, and a black coat with a cape to it. The coat that I wore had a cape also. Says he, "I'll go in the house to avoid suspicion: you wait here until I come back." He then started for the house, and went up on the porch and around to the back kitchen; past the window of the sitting room; he was gone but a few minutes. He then told me to go out of the back door of the stable, and he would shut the stable door. He shut the back door, and fastened it on the inside, and shut the front door and locked it on the outside. The lock of the stable is a spring lock. He put the keys of the stable in his pocket to lock the stable when on our return. He then came through a gate at the end of the stable into the barnyard and fastened the gate after him. We then went through another gate into a field that joins the garden and orchard, and kept across the fields of William Clark, and Ephraim Hess until we came to James Beed's. We crossed over in the road there, and kept the road all the rest of the way to Mr. Dinsmore's.

We kept on up the Cross Creek road until we came to a road running directly to Mr. Dinsmore's, that turns off to the left opposite the tenant house on the farm of Samuel Taggart. We kept that road until we came to the old Middletown road. There is an old school house stands by the side of the road, a short distance above Mr. Dinsmore's late residence. We entered it, and lit our dark lantern, and proceeded to black our faces and hands. We took the lantern along for the purpose to see when we were properly blacked. After we had completed blacking ourselves we started towards Mr. Dinsmore's house. We entered a gate below the barn and kept on toward the house. When we got about midway between the barn and house we became alarmed at a noise like some one coming towards us. We turned back and listened, and found the noise came from a lot of hogs that were feeding in lane. We started again the same way, but found we could not reach the house in that way without alarming Mr. Dinsmore. We then crossed over the fence into the orchard, and went around in front of the house. I then went to the porch, of the main building, and went up on the porch, and stepped up on a bench that was on the porch, and looking in the window, and found by the clock on the mantle-tree above the fire place, that it was half past nine o'clock. The reason that I looking in the window was because I wanted to know who was in the room, as James Montgomery informed me that Mr. Dinsmore had three or four big brothers, and we had better be on the lookout.

[Here follow the incidents connected with the killing of Mr. Dinsmore, with which our readers are already familiar, and which we now omit. The course of Fogler's counsel toward him, is thus referred to by himself. It will also be remembered by those who paid attention to the matter at the time the coroners inquest was held, that Fogler implicated "Babe" Montgomery in the murder, and that he afterwards refused to testify against him when the latter was on his trial for the same crime. Why he declined doing so is stated here by the condemned man as follows:

Having made the foregoing statement I now deem it prudent to show the public why I did not testify in the case of Montgomery—not that I wish to express any one publicly, but I want to warn others that may follow in my footsteps in crime, not to be deceived by counsel. I will now proceed to show the public my reasons for not testifying:

"Babe" Montgomery was brought to jail in this place on the evening of the 9th of December. On the evening of the following day, he called me to come to the door of my cell, his cell being directly opposite to mine. He told me to get down on the floor of the cell, and place my ear to the space under the door, as he wanted to talk with me, and did not want to be overheard. I told him during the day that I had the irons on: he said I ought to have them on; and I was a fool for telling John Baird what I did. After I got down on the floor, he asked me how thick the irons were, and if I had a saw; if I could saw them off. I told him I could saw them off, if I had one, but it would do no good. He said he would get me a saw if I wanted one. I asked him how he would get it, but he did not tell me how. I told him I did not want a saw. I then asked him what his father thought of the case. He said they were "down on me like hell," (meaning by "they" his father and Gibson) for coming out; but to keep quiet, and it would be all right. This was before I made the statement to the Coroner's Jury. After that he would not speak to me.

I had a man in the cell with me by the name of Johnson, from Independence, in this county, who was convicted of assault and battery, on oath of Rebecca White, and was under sentence. Johnson and Montgomery were soon on intimate terms. Gibson was acquainted with him before he came to jail, and used to give him papers when he was in to see "Babe." I requested the Sheriff to give me a cell to myself, which he did. He removed Johnson to the other side of the hall to a cell adjoining that of "Babe," kept up a great deal of private talk, which I could not understand. Gibson used to go in to see Johnson, while in the jail. One day, after Gibson had been in the jail, Johnson called to me after he had gone out, to come to the door of my cell. I went to the door, and he told me to send out by John Kennedy, jr., for Woods' Little, I told Johnson to write it down and give it to me at my cell window, which he did. As near as I can remember, the words he used were as follows: He said for me to send out for Little, who was a lawyer, and a good one—that there was a man to see him for me, and he was told that I could get clear. I told him I had no means to get a lawyer with. The next time, after Gibson went out, Johnson told me again, by writing, to send for Little—that he had said he would take my case, money or no money. Gibson said the lawyers all belonged to the Free Masons' Lodge, and that it was a rule among them to help those who had no money.

I told Mr. Johnson that I heard that Little was in the west. He said Gibson would telegraph for him to come home. Some time after that Johnson told me to send out after Little and Judson. Gibson came into jail in a day or two, and when he was leaving he asked John if he might speak to him. John told him to go around to my window and talk to me. Gibson came to the window of my cell and told me in an undertone, before John came around, to tell him (Gibson) in John's presence, to send in Little and Ruth, which I did. They came to see me that afternoon. I told them that I had sent for them to take advice in reference to my case. I told them I had been advised to send for them. They told me they would undertake my case on certain conditions, namely, that I would do just as they directed in all things, and must reveal nothing they told me, and keep my lips sealed to every one else but them. I told them I would do just as they told me, and I wanted them to be honest with me, and I would trust them.—Ruth told me my case was a desperate one, and that it would take desperate men to meet it; but that I had made it so myself, and that I could not blame any one for it but myself.—Little then spoke up, and said he saw a faint glimmer of hope for me, and would acquaint Ruth of it at an early day, and then they would tell me all. They did not say much the first day, but said they would come in again in a few days.

The next visit was made by Ruth. I then acquainted him with my circumstances, and told him I had no money to pay a lawyer, and felt it my duty to inform him of it. He said he would take my case on the conditions as he said before—that it was a desperate case. He said he would promise me nothing at present, but that he would promise to defend me to the best of his ability, and see that I got an impartial trial." I then told Ruth that I was afraid he was concerned for Montgomery.—He said he was not, and would not perjure himself for any one. I asked him if Mr. Montgomery showed any sympathy for me. He said he did not know whether he did or not, but that Montgomery told him when the officers were after "Babe," that if I had got confessed he would never have believed my guilty of the charge, and would have spent a thousand dollars on my case. Ruth told me not to go to trial this term of the Court (meaning last term). I asked him if he thought Montgomery would let "Babe" lay over three months more. Ruth said he could not help it.

I stated to my counsel all about the murder, and about who I had made statements to. He said they would have to keep them down the best way they could, and if they succeeded they were on a dead level, as the circumstantial evidence was nothing. He said the boots did not amount to anything. I said if I was to be convicted I wanted to live as long as I could: I told him I did. He said I had a great many warm friends on the outside, and that they would have to fight down a great deal of public prejudice, and if we could continue the trial until the excitement died out, it would be better for us. He told me Montgomery had employed the best counsel in town and that Dinsmores had went to Pittsburgh and scoured the city, and could not get a n y one to take hold of the case but Fetterman, and he was not very good. Mr. Ruth never told me he thought I would get clear. He said if he could reduce it to imprisonment it would be a big thing. He said he did not think a jury could be got in the county that would make it out more than murder in the second degree. Little always held out the most inducements to me.

Ruth and Little told me one day that we must take the back track—that the great point in law was to deny all and demand the proof for it. We did not want to prove we *didn't* kill Mr. Dinsmore, but wanted them to prove that we *did.* They asked my consent to draw up a certain affidavit, which I gave them, if they thought it would better my case. They thought it would break those statements, at any rate it would not worse me. They told me to send for the Justices, Grayson and Judson, on a certain Saturday, and that the affidavit would be ready, and that all I would have to do was to swear it was correct, and say, "These are the facts I gave you."

I sent for the Justices and they and Little were brought into the cell by the Sheriff.—The Sheriff came into my cell before he admitted them, and said he was going to ask me a question, and wanted me to answer him truly. I told him to put the question, and I would answer it. He then asked me if it was my desire that those men came here. I told him it was. He said he wished to exclude no one that would be of any advantage to me, but that it was his duty not only to keep me here but to protect me. The Sheriff then brought them in. Little then requested the Sheriff to [illegible] The Sheriff told Little he [illegible] to know the object of [illegible] Little then said he wanted to take my affidavit. The Sheriff told him to state what the affidavit was for. Little refused to do so, and the Sheriff said to go out, that nothing of that kind would be allowed while I was in his charge. Little then requested me to say nothing in the presence of the Sheriff. I did not know the nature of the affidavit at the time, but afterwards found out it was a paper certifying to "Babe's" innocence in the murder. My counsel said it was necessary that the affidavit should be drawn up, so as to break my statement. They said if the statement went into Court uncontradicted, it was certain death to me.

Mr. Little seemed very much disappointed when the Sheriff interfered with his arrangements. He said he would have the Justices come in yet, and he would show the Sheriff it was not in his place to be present at any of our meetings. Mr. Ruth came in a day or two after that, and said he had expected that the Sheriff would interfere with the arrangement. He then told me he would have Dr. Creigh to come in and see me, and for me to state the facts set forth in the affidavit to the Doctor, as near as I could recollect. He said the Doctor would not say anything about it.—I told him I would do so, which I did.

Little brought in the affidavit one day, and Ruth requested Little to read it to me, which he did. Ruth then asked me if I would sign it. I told him that I would not, as it would not be of any use to them in my case. They said it would, and I then signed it. After that Little brought a paper in to me and said he wanted me to copy it off in a plain hand write, word for word, which I did, and signed it and sent it to him by Ruth. Little said they wanted to have it published in the Washington papers, and that he would try and get Mr. Swan to come in and see me, and for me to give it to him and request him to publish it. Swan did not come, so I sent the paper and the copy also to him by Ruth. Little said when he brought the paper in, not to let any one get a hold of it. He said he had counterfeited his hand writing all through the paper.

I asked Little one day when he was going to have the affidavit published, he said in a week or two before we went to trial. I objected to having it published. He told me after that, one day, that they were going to have it published a day or two before the trial in the Pittsburgh papers. He said he wanted it to be published so as to arrive here a day or two before the trial. He said the reason it had not been published before was that they did not want them to have any hold on us. Suppose he meant by "them" the counsel for the Commonwealth. Ruth was in after that, and I told him to tell Little not to have the affidavit published at all.

Little told me they were going to apply for a change of venue in my case. He said he had evidence in my favor that I knew nothing about. He said I must keep quiet, and not make any statements in court, and if they forced me to it, to deny all, and go down on the affidavit described above. He said the court might want me to go before the grand jury, but that they would object, and if I was forced to go, to state the facts set forth in the affidavit. He said if I made the statement that I had formerly made, that I had better tell the sheriff to get a rope and hang me at once. I told him the Sheriff did not show any disposition of wanting to h